



CHRIS CHRISTIE

Governor

KIM GUADAGNO

Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Chiropractic Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102

By Certified and Regular Mail

FILED

March 6, 2011

APR 01 2011

**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**



PAULA T. DOW

Attorney General

THOMAS R. CALCAGNI

Acting Director

Mailing Address:
P.O. Box 45004
Newark, NJ 07101
(973) 504-6395

Robert J. White, D.C.
15 West Aspen Way
Aberdeen, NJ 07747

Re: Offer of Settlement In Lieu of Filing a
Formal Disciplinary Complaint
File #66121

Dear Dr. White:

This letter is to advise you that the New Jersey State Board of Chiropractic Examiners (the "Board") has had an opportunity to review information pertaining to your website and a free report that was offered to the public as part of your marketing efforts for your practice.

It appears from that review that you included in your advertisements altered testimonials of individuals who were not your patients, and who did not give you permission to use their likenesses or their statements. In addition, the "report" you disseminated regarding peripheral neuropathy contained exaggerated and misleading claims of expertise and employed a format in which a disclaimer was placed far from the deceptive representations to which it pertained. The Board views your report to have also contained unsupported claims that the services offered in your practice are rare and unique, so as to set them significantly apart from the services offered by other chiropractors, and an overstated and unsupported claim to have helped an "astounding" number of patients with "chronic hopeless conditions."

At this juncture, the Board has preliminarily concluded that probable cause exists to support a finding that you violated N.J.A.C. 13:44E-2.1(c)1, 2, 5, and 6 by the use of advertising containing statements, claims, and a format that is misleading or deceptive; that communicates personally identifiable information about patients without their advance written permission; and that contains misrepresentations regarding your expertise and quantum of successful outcomes.

The violations described above are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that fact, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of formal disciplinary proceedings, should you consent to:

1. cease and desist from the aforesaid advertising violations;
2. the issuance of a formal reprimand;
3. pay a penalty in the amount of \$2,000.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter by certified check or money order made payable to the State of New Jersey);

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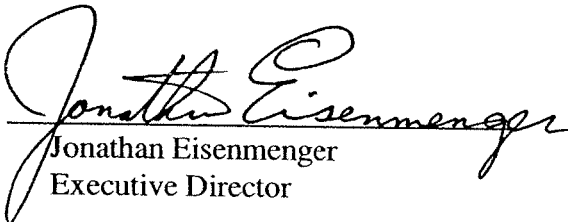
4. pay costs incurred by the Board in the amount of \$627.60;

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office together with any required payment at the address set forth above. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you ask your attorney to contact Deputy Attorney General John D. Hugelmeyer, who may be reached at (973) 648-3453.

If you elect to settle this matter now you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

**NEW JERSEY STATE BOARD
CHIROPRACTIC EXAMINERS**

By: 
Jonathan Eisenmenger
Executive Director

cc: John D. Hugelmeyer, Deputy Attorney General
Jeffrey Randolph, Esq.

ACKNOWLEDGMENT: I, Robert J. White, D.C., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$2,000.00 plus costs in the amount of \$627.60 (to be paid upon signing of this acknowledgment), and to comply with all other requirements set forth in the settlement letter.

Robert J. White D.C.

Robert J. White, D.C.

Dated: 3-17-11

FILE # 66121

ROBERT WHITE, DC

442 MORRIS AVE

SPRINGFIELD, NJ 07081